

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

COY PHELPS,

Plaintiff,

-v-

RION MACCONNELL, et al.,

Defendants.

Case No. 3:12-cv-344

Judge Thomas M. Rose

Chief Magistrate Judge Sharon L. Ovington

**ENTRY AND ORDER OVERRULING PHELPS' OBJECTIONS (Doc. #23)
TO THE CHIEF MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS; ADOPTING THE CHIEF MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (Doc. #22) IN ITS
ENTIRETY; DENYING PHELPS' MOTION FOR TEMPORARY
INJUNCTION ORDER (Doc. #2); DENYING PHELPS' MOTION FOR
REPLEVIN ORDER (Doc. #3) AND DENYING PHELPS' MOTION
UNDER PROMISSORY ESTOPPEL DOCTRINE TO COMPEL THE
DEFENDANTS TO PROVIDE PROMISED SERVICES (Doc. #4)**

Pro Se Plaintiff Coy Phelps ("Phelps") brought this action against Defendants Rion MacConnell, Heather F. Green and U.S. Mint Green, Ltd., to recover damages for various alleged wrongs. On the same day as he filed this lawsuit, Phelps filed three (3) motions: a Motion for Temporary Restraining Order (doc. #2); a Motion for Replevin (doc. #3); and a Motion Under Promissory Estoppel Doctrine To Compel the Defendants To Provide Promised Services (doc. #4).

On August 6, 2013, Chief Magistrate Judge Sharon L. Ovington issued a Report and Recommendations recommending that all three (3) of Phelps' pending Motions be denied. Phelps subsequently objected to the Chief Magistrate Judge's Report and Recommendations. (Doc. #23.) The time has run and no Defendant has responded to Phelps' Objections. This matter

is, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Phelps' Objections to the Chief Magistrate Judge's Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Chief Magistrate Judge's Report and Recommendations is adopted in its entirety.

Phelps' Motion for Temporary Injunction Order (doc. #2) is DENIED. Phelps' Motion for Replevin Order (doc. #3) is DENIED. Finally, Phelps' Motion Under Promissory Estoppel Doctrine To Compel the Defendants To Provide Promised Services (doc. #4) is DENIED.

DONE and **ORDERED** in Dayton, Ohio, this 9th day of September, 2013.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Coy Phelps at his last address of record